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June 15, 2006

VIA FACSIMILE & U.S. MAIL

Sullivan & Cromwell LLP
125 Broad Street
New York, New York 10004-2498

Attention: Keith McKenna

Re: Dyson Technology Ltd., et al. v. Maytag Corporation

Dear Keith:

This letter is in follow-up to our May 30, 2006 conference call and your letter of June 6, 2006 regarding the parties' proposed keyword search terms. As discussed during our teleconference, the keyword searches are only a tool to be used by both parties for the purpose of finding responsive documents and are not a means of absolving the parties from conducting a reasonable and diligent search for documents.

Search Term Operators: As discussed during our teleconference, Maytag will agree to use "and", instead of "+" in conducting its searches. Additionally, the parties are in agreement as to the meaning of the search term operators as explained in your May 15, 2006 letter. In addition to the search term operators described in that letter, we should clarify that words enclosed in parentheses designate one search which encompasses all words within those parentheses.

Maytag's Response to Dyson's Objections: Attached as appendices A and B are Maytag's responses to Dyson's objections to Maytag's keyword searches. Appendix A responds to Dyson's proposed terms to be added to Maytag's keyword searches. Appendix B responds to Dyson's revisions to Maytag's proposed keyword searches. Appendix C is Maytag's revised keyword search term list. This list takes into consideration issues discussed during our teleconference and attempts to formulate uniformity between the parties regarding keyword search terms.

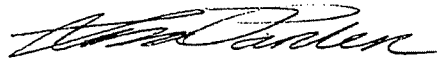
WINSTON & STRAWN LLP

Sullivan & Cromwell LLP
K. McKenna
June 15, 2006

some of Maytag's requests. In an effort to assist Dyson, Maytag has proposed some searches in response to its objections. *See* Appendix D. This list of proposed searches is not all-inclusive, but is provided in an effort to move this process forward. Finally, in response to your letter of June 6, Maytag has included Appendix E, which specifically addresses Dyson's responses to Maytag's objections to Dyson's proposed keyword searches.

Discovery Cut-Off Date: As I am sure you are aware, the fact discovery cut-off date for this case is September 1, 2006. In light of the magnitude of the e-discovery, Maytag proposes that we ask the Court to extend our fact discovery cut-off date by one month until October 2, 2006. Please let us know if you would be amenable to joining us in requesting this additional time for fact discovery.

Sincerely,



Lisa J. Parker

LJP:caj

Enclosure

cc: Kimball R. Anderson
Stephen P. Durchslag
Ray L. Weber
Brian D. Fergemann
Richard C. Pepperman II
Steven F. Reich

APPENDIX A**PROPOSED ADDITIONS TO MAYTAG'S E-DISCOVERY SEARCH TERMS**

	Proposed Terms to Be Added	Maytag's Response
1.	Dyson and (airflow* or bin* or clog* or (pet hair) or (Wide channel) or gravit* or Root8* or power* or (higher volumes of air) or ((use them) near10 (less they work)))	Maytag agrees to this search.
2.	Dyson near50 (damag* or hurt* or injur* or impact* or diminish*) near50 (Hoover or Maytag) near50 product	Maytag agrees to this search.
3.	(nozzle* or hose*) and near 50 suction and Dyson	Maytag agrees to this search as modified.
4.	(upright* or vacuum*) near50 (basic design flaw*)	Maytag agrees to this search.
5.	(upright or vacuum or ((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900)) and (share* or percent* or %) near10 (sales or market)	Maytag objects to this search to the extent the burden or expense of this search outweighs the benefit. Subject to such objection, Maytag agrees to this search. Maytag will notify Dyson if this search is unduly burdensome or expensive.

6.	(((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near 10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900)) and (market* or strateg* or business*) near10 (plan* or proposal* or projection* or analy* or strateg* or response*) and financ* and Dyson	Maytag objects to this search to the extent the burden or expense of this search outweighs the benefit. Subject to such objection, Maytag agrees to this search as modified. Maytag will notify Dyson if this search is unduly burdensome or expensive.
7.	(Maytag or Hoover) and (market* or compet*) and (vacuum* or upright*) and Dyson	Maytag agrees to this search as modified.
8.	ASTM or (American Society for Testing) and F558 or F608 and Dyson or (DC07 or (DC 07) or (DC07) or (DC 07) or (DCo7) or (DC o7) or DC7 or (DC 7)) or (DC14 or (DC 14)) or (DC15 or (DC 15)) or ((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432- 900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy)near10 U8145-900))	Maytag agrees to this search as modified.
9.	(consumer or buyer) near50 (decision* or buy* or understand* or prefer* or choose* or chose* or choice*) near50 (factor* or consider*)	Maytag agrees to this search.

10.	(consumer or buyer) and (upright* or vacuum* or clean*) and (carpet* or hard* or *wood or bare or floor* or tile*)	Maytag agrees to this search as modified and objects to the remaining search terms based on relevancy. Maytag requests that Dyson provide further explanation as to why this search is relevant to this lawsuit. If this search is relevant to the claims at issue, Maytag will conduct the search.
11.	(sport utility vacuum) or (Harris Interactive) or (HI near10 survey) near50 (press release)	Maytag objects to this search as irrelevant to the claims at issue in this litigation. Maytag will provide Dyson with the press release.

12.	((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900)) and (hard* or *wood or bare or floor* or tile)	Dyson claims that this search is related to its Document Request No. 61, which seeks documents related to Hoover's advertising claims. Because Hoover's advertising is not at issue in this case, Maytag objects to this search as irrelevant. If Dyson explains why this search is relevant, Maytag will revisit this issue.
13.	(Maytag or Hoover) and (patent* or infring* or *suit or litigation or copy* or copie* or knock-off or High Court) and Dyson	Maytag agrees to this search as modified.
14.	(upright* or vacuum*) near10 per near10 (household* or home*)	Dyson claims that this search is related to its Document Request No. 45. Maytag objects to this search as irrelevant to the claims at issue in this litigation. Maytag requests that Dyson provide further explanation as to why this search is relevant to this lawsuit. If this search is relevant to the claims at issue, Maytag will conduct the search.

15.	<p>((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900)</p> <p>or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900)) and (income* or profit* or expense* or projection*)</p>	<p>In an effort to have uniform searches, like Dyson, Maytag will not run a search for this type of information. However, in accordance with Dyson's Document Request No. 51, Maytag will produce documents "sufficient to show" the information requested.</p>
16.	<p>(Maytag or Hoover) and (tv or (t.v.) or television* or broadcast* or network* or station*) and Dyson</p>	<p>Maytag agrees to this search.</p>

17.	<p>(((Bissell or Lift-Off) near10 6595) or ((Bissell or Cleanview) near10 3575-5) or ((Eureka or Ultra Smart) near10 4870-A) or or ((Eureka or Ultra Whirlwind) near10 4885) ((Fantom or Twister) near10 FM760) or ((Fantom or Twister) near10 FM780) or ((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900) or ((Ken* or Progressive) near10 116-31723-100) or ((Ken* or Progressive) near10 116-31912-100) or ((Ken* or Progressive) near10 116-31912-103) or ((Ken* or Progressive) near10 116-34612-305) or (Oreck near10 XL2) or ((Pan* or Dual Sweep) near10 MC-V7515) or ((Royal or Dirt Devil) or Platinum Vision) near10 091210) or ((Royal or Dirt</p>	<p>Dyson asserts that this search is responsive to its Document Request No. 28. In an effort to have uniform searches, like Dyson, Maytag will not search for images and will not search for diagrams or photographs via an electronic search. As for searching for testing results and analyses, Maytag will conduct this search as modified. Additionally, Maytag objects to this search to the extent the burden or expense of this search outweighs the benefit. Subject to such objection, Maytag agrees to this search as modified. Maytag will notify Dyson if this search is unduly burdensome or expensive. Further, to the extent Dyson asserts that this search is in response to its Document Request No. 7, numerous other searches cover this request.</p>
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	Devil) or Vision) near10 091210) or ((Royal or (Dirt Devil) or Cruiser) near10 091700) or (Shark near10 UV219CS0) or ((Sharp or Multi Floor*) near10 EC-T5180A) or (Vax near10 X5) or ((Westing* or whs or Wired or WST) near10 1500) or ((Westing* or whs or Unplugged or WST) near10 1600) or (Biss* near10 3575) or (Eureka near10 4870) or (Eureka near10 4885) or (Hoo* near10 Empower) or (Hoo* near10 6439) or (Hoo* near10 Savvy) or (Ken* near10 912-103) or (Ken* near10 612-305) or (Pan near10 Dual) or (Vax near10 X5) or (WHs near10 Unplug*)) and (suction or dirt* or dust or (pet hair) or debris or cyclon* or clog* or filt*) and test* or analys* and Dyson	
18.	4,853,008 or 4853008 or 008	Maytag agrees to this search.
19.	Dyson near50 (patent* or technol* or invent*)	Maytag agrees to this search.
20.	Patent near3 515 or 748 or 008 or 038	Maytag agrees to this search.

APPENDIX B**PROPOSED REVISIONS TO MAYTAG'S E-DISCOVERY SEARCH TERMS**

	Original Term	Proposed Revision	Maytag's Response
1.	<p>+</p> <p>Reason for revision: The operator "+" may not pick up relevant documents</p>	and	Maytag agrees to this revision.
2.	<p>WindTunnel</p> <p>Reason for revision: Searches should include all U.S. Hoover upright vacuum cleaners.</p>	<p>((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900)</p>	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.

3.	ad* Reason for revision: Searches for ad* likely will produce very broad results.	(ad or advert*)	Maytag agrees to this revision as modified. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.
4.	DC07 Reason for revision: DC07 does not account for different spelling or spacing.	(DC07 or (DC 07) or (DCO7) or (DC O7) or (DCo7) or (DC o7) or DC7 or (DC 7))	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.
5.	DC14 Reason for revision: DC 14 does not account for different spacing.	(DC14 or (DC 14))	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.
6.	DC15 Reason for revision: DC 15 is does not account for different spacing.	(DC15 or (DC 15))	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists
7.	filter Reason for revision: "filter" does not pick up "filtration."	filt*	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists

8.	floor Reason for revision: "floor" does not pick up "flooring."	floor*	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.
9.	"Good Housekeeping" (from June to October 2005) Reason for revision: The date range should be broadened to ensure that all documents concerning Maytag's role in the consumer research undertaken by Good Housekeeping Magazine from June to October 2005, are included.	[Please perform this search for the period March through December 2005.] "Good Housekeeping" (from March through December 2005) and Dyson or Hoover and f11.93.05	Maytag agrees to this revision as modified.
10.	vacuum Reason for revision: The word "vacuum" may not pick up references to "upright" vacuum cleaners.	(vacuum* or upright*)	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.
11.	upright Reason for revision: The word "upright" may not pick up references to "vacuum" cleaners	(vacuum* or upright*)	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.

12.	4,643,748 Reason for revision: Use of commas may not pick up other variations of the patent number.	4,643,748 or 4643748 or 748	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.
13.	4,826,515 Reason for revision: Use of commas may not pick up other variations of the patent number.	4,826,515 or 4826515 or 515	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.
14.	5,858,038 Reason for revision: Use of commas may not pick up other variations of the patent number.	5,858,038 or 5858038 or 038	Maytag agrees to this revision. Please note, however, that Maytag has revised its search terms list. See Appendix C. This list is subject to further change until the parties have agreed upon final lists.

APPENDIX C

MAYTAG'S REVISED KEYWORD SEARCH LIST

- Fusion
- Nova
- 4,643,748 or 4643748 or 748
- 4,826,515 or 4826515 or 515
- 5,858,038 or 5858038 or 038
- cyclone
- cyclonic
- cone
- vortex
- separator
- Dyson or (DC07 or (DC 07) or (DC07) or (DC 07) or (DCo7) or (DC 07) or DC7 or (DC 7)) or (DC14 or (DC 14)) or (DC15 or (DC 15)) **AND**
 - advert*; or
 - allerg*; or
 - analy*; or
 - bags; or
 - carpet*; or
 - centrifug*; or
 - challenge; or
 - clean*; or
 - clog; or
 - compet*; or
 - consumers; or
 - cyclon*; or
 - debris; or
 - dirt; or
 - dust; or
 - empty; or
 - filt*; or
 - floor*; or
 - gravit*; or
 - hygien*; or
 - "integral hose"; or

- "liquid steel"; or
 - market; or
 - reputation; or
 - strateg*; or
 - suction
- ((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900) **AND**
 - Dyson or (DC07 or (DC 07) or (DC07) or (DC 07) or (DCo7) or (DC 07) or DC7 or (DC 7)) or (DC14 or (DC 14)) or (DC15 or (DC 15)); **or**
 - market **and** Dyson or (DC07 or (DC 07) or (DC07) or (DC 07) or (DCo7) or (DC 07) or DC7 or (DC 7)) or (DC14 or (DC 14)) or (DC15 or (DC 15)); **or**
 - test* near 50 NAD near 50 Dyson or (DC07 or (DC 07) or (DC07) or (DC 07) or (DCo7) or (DC 07) or DC7 or (DC 7)) or (DC14 or (DC 14)) or (DC15 or (DC 15))
- (((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near 10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900)) and (market* or strateg* or business*) near10 (plan* or proposal* or projection* or analy* or strateg* or response*) and financ* and Dyson
- (upright or vacuum or ((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061 900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or

Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900)) and (share* or percent* or %) near10 (sales or market)

- (((Bissell or Lift-Off) near10 6595) or ((Bissell or Cleanview) near10 3575-5) or ((Eureka or Ultra Smart) near10 4870-A) or ((Eureka or Ultra Whirlwind) near10 4885) or ((Fantom or Twister) near10 FM760) or ((Fantom or Twister) near10 FM780) or ((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900) or ((Ken* or Progressive) near10 116- 31723-100) or ((Ken* or Progressive) near10 116-31912-100) or ((Ken* or Progressive) near10 116-31912-103) or ((Ken* or Progressive) near10 116-34612-305) or (Oreck near10 XL2) or ((Pan* or Dual Sweep) near10 MC-V7515) or ((Royal or (Dirt Devil) or Vision) near10 091210) or ((Royal or (Dirt Devil) or Cruiser) near10 091700) or (Shark near10 UV219CS0) or ((Sharp or Multi Floor*) near10 EC-T5180A) or (Vax near10 X5) or ((Westing* or whs or Wired or WST) near10 1500) or ((Westing* or whs or Unplugged or WST) near10 1600) or (Biss* near10 3575) or (Eureka near10 4870) or (Eureka near10 4885) or (Hoo* near10 Empower) or (Hoo* near10 6439) or (Hoo* near10 Savvy) or (Ken* near10 912-103) or (Ken* near10 612-305) or (Pan near10 Dual) or (Vax near10 X5) or (WHs near10 Unplug*) and (suction or dirt* or dust or (pet hair) or debris or cyclon* or clog* or filt*) and test* or analys* and Dyson
- Dyson and (airflow* or bin* or clog* or (pet hair) or (Wide channel) or gravit* or Root8* or power* or (higher volumes of air) or ((use them) near10 (less they work)))
- Dyson near50 (damag* or hurt* or injur* or impact* or diminish*) near50 (Hoover or Maytag) near50 product
- (Maytag or Hoover) and (market* or compet*) and (vacuum* or upright*) and Dyson
- (consumer or buyer) near50 (decision* or buy* or understand* or prefer* or choose* or chose* or choice*) near50 (factor* or consider*)
- (Maytag or Hoover) and (patent* or infring* or *suit or litigation or copy* or copie* or knock-off or High Court) and Dyson
- (Maytag or Hoover) and (tv or (t.v.) or television* or broadcast* or network* or station*) and Dyson

- Instruction and Model No. U6616-900 or U5753-900 or U8163-900 or U5402-900 or 5453-900
- (nozzle* or hose*) near 50 suction and Dyson
- (upright* or vacuum*) near50 (basic design flaw*)
- "Good Housekeeping" (from March to December 2005) and Dyson or Hoover and fl1.93.05
- "International Electrotechnical Committee" or IEC and 60312
- ASTM or American Society for Testing and F558 or F608 and Dyson or (DC07 or (DC 07) or (DCO7) or (DC O7) or (DCo7) or (DC o7) or DC7 or (DC 7)) or (DC14 or (DC 14)) or (DC15 or (DC 15)) or ((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy)near10 U8145-900))

APPENDIX D**PROPOSED SEARCHES**

Maytag's Objection	Proposed Search
Dyson has not included a search query for purposes of retrieving documents responsive to Maytag Document Request No. 52, which seeks all copies of advertising for the DC07, DC14 and DC15	Like the search proposed by Dyson, Maytag suggests using advert*. For example: Dyson or (DC07 or (DC 07) or (DC07) or (DC 07) or (DCo7) or(DC 07) or DC7 or (DC 7)) or (DC14 or (DC 14)) or (DC15 or (DC 15)) AND advert*
Dyson has not included any search terms regarding its suction power chart comparing suction power of the Dyson DC07 with other vacuums	chart or graphic or compar* near 50 suction and (DC07 or (DC 07) or (DC07) or (DC 07) or (DCo7) or(DC 07) or DC7 or (DC 7))

CHI:1732123.2

APPENDIX E**Maytag's Response to Dyson's June 6, 2006 letter regarding Dyson's proposed keyword searches**

Maytag's Objection	Dyson's Response	Maytag's Position
<p>1. Dyson limits many of its searches to documents that also include the terms "United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC 07 or DC 7 or DC07 or DC7," this limitation will cause responsive documents to be missed.</p>	<p>Dyson has products other than the DC7, DC14 and DC15, and also sells its products in markets other than the United States. The limitation "United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC15 or DC 15 or DC 07 or DC 7 or DC07 or DC7" is designed to assist in identifying responsive documents that relate to the subject matter of this lawsuit. As we discussed, we are happy to consider any specific search term proposal that you may have to address your concerns.</p>	<p>Below please see Maytag's response to this issue with respect to specific searches.</p>
<p>2. Dyson has not included a general search query for purposes of retrieving documents responsive to Maytag Document Request Nos. 2 and 36, which seek "All documents relating or referring to the Defendant"</p>	<p>We objected to Maytag's Document Requests Nos. 2 and 36 in part because they were overbroad. We agreed to produce and/or make available responsive documents to the extent they related to Dyson's claims or Maytag's counterclaims</p>	<p>In an effort for uniform searches, Maytag requests that Dyson conduct the same exact search that Maytag plans to run. This search is:</p> <p>Hoover or Maytag ((Hoo* or Sprint) near10 U5025-900) or ((Hoo* or Elite) near10 U5061-900) or ((Hoo* or Tempo) near10 U5150-900) or ((Hoo* or FoldAway) near10 U5175-900) or ((Hoo* or Fusion) near10 U5180-900) or ((Hoo* or EmPower) near10 U5262-900) or ((Hoo* or EmPower) near10 U5262-910) or ((Hoo* or Windtunnel or WT) near10 U6425-920) or ((Hoo* or Windtunnel or WT) near10 U6432-900) or ((Hoo* or Windtunnel or WT) near10 U6439-900) or ((Hoo* or Windtunnel</p>

<p>3. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request No. 3, which seeks all documents relating to any of the patents-in-suit, e.g., patent application serial numbers, docket numbers, file numbers or any other number associated with the patents-in-suit.</p>		<p>or WT) near10 U6446-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6616-900) or ((Hoo* or Windtunnel or WT) near10 U6630-900) or ((Hoo* or Windtunnel or WT) near10 U8120-900) or ((Hoo* or Windtunnel or WT) near10 U8130-900) or ((Hoo* or Savvy) near10 U8145-900)AND Dyson or (DC07 or (DC 07) or (DC07) or (DC 07) or (DC07) or (DC 7) or (DC14 or (DC 14)) or (DC15 or (DC 15))</p>
<p>3. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request No. 3, which seeks all documents relating to any of the patents-in-suit, e.g., patent application serial numbers, docket numbers, file numbers or any other number associated with the patents-in-suit.</p>	<p>In response, Dyson proposes the following searches:</p> <p>(proto* near2 4.1-5) or (proto* near2 2 4.1-9) or 164,047 or 164047 or 628,346 or 628346 or 452,917 or 452917 or 274,252 or 274252 or 4,826,515 or 4826515 or '515</p> <p>(proto* near2 4.1-8) or 832,370 or 832370 or 4,643,748; or 4643748 or '748</p> <p>***</p> <p>(proto* near2 4.1-12) or 224,694 or 224694 or 4,853,008 or 4853008 or '008</p> <p>***</p> <p>(notetry near2 4.1-29) or 850,000 or 850000 or 5,858,038 or 5858038 or</p>	<p>The search terms need to address the technology disclosed and/or claimed in the patents. They should incorporate the words, terms, phrases, code names, etc. employed by Dyson and/or the inventors to contemporaneously describe the invention, technology and/or project. The search needs to use the terms and phrases that Dyson used to describe the invention, project or technology at the time of the invention. Patent numbers, while helpful, are too late in time to cover conception, development and reduction to practice. It is reasonable to assume that Dyson knows these terms.</p>

	<p>'038</p> <p>***</p> <p>The above proposed amendments are intended to include U.S. patent serial numbers and attorney docket numbers that we located when reviewing the prosecution histories of the Patents-in-Suit. We have conferred with Dyson, and it has informed us that it is unaware of any internal Dyson file numbers associated with the Patents-in-Suit at the time of their invention.</p>	
<p>4. Dyson has not included any search terms responsive to Maytag Document Request Nos. 9, 14, 18 and 24. Specifically, Dyson has not included any search terms related to the technology or inventions of the patents-in-suit apart from the patents themselves.</p>	<p>Dyson proposes the following search:</p> <p>disc or separator or dual cyclone technology</p>	<p>Maytag proposes the following search in lieu of Dyson's proposed search:</p> <p>disc or disk or separator or dual cyclone or shroud or tangential or frusto-conical or frustoconical or receiving near5 chamber or collecting near5 chamber or collection near5 chamber or ratio or bin or collar.</p>
<p>5. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request Nos.19, 20, 21, and 23. These requests relate to Dyson's profits, income and financial statements.</p>	<p>Maytag's Document Requests Nos. 20 and 21 asked for "documents sufficient to show" certain sales information. We will provide such information.</p> <p>***</p> <p>Maytag's Document Request No. 19 asked for certain profit and loss information. Dyson will produce and/or make available documents sufficient to show income, profits and/or losses derived from any licenses granted by Dyson for</p>	<p>While Maytag's Document Request Nos. 20 and 21, sought document "sufficient to show," Document Request No. 19 sought all "Plaintiffs' profit and loss statements and/or income statements for all years which income was derived from products made pursuant to the patents-in-suit." Accordingly, Maytag requests that Dyson run a search responsive to this request.</p>

<p>6. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request Nos. 28, 29 and 30, which seek documents related to Dyson's advertising budget and the amount of sales related to the advertising and marketing claims at issue in this case.</p>	<p>the patents-in-suit or any U.S. products made by Dyson that employ technologies protected by the patents-in-suit. Accordingly, an e-search of all documents relating to the subject</p>	<p>Maytag will accept Dyson's position with respect to requests Nos. 28, 29 and 30.</p>
<p>7. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request No. 37, which seeks documents related to the profitability of products made or sold pursuant to the patents-in-suit and/or advertising and marketing claims at issue in this case</p>	<p>Maytag's Document Request No. 37 sought certain profit and sales information. Dyson has said that it will produce and/or make available documents sufficient to show that information. Accordingly, an e-search of all documents relating to the subject matter of this document request is not required.</p>	<p>Maytag's request was not for documents that are "sufficient to show," rather Maytag requested "all documents relating to the past, present or future actual or projected profitability of products made and or sold pursuant to the patents-in-suit and/or advertised or marketed in association with the advertising claims" at issue in this lawsuit. Accordingly, Maytag requests that Dyson run a search responsive to this request.</p>
<p>8. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request No. 31, which seeks documents related to Dyson's document retention policy.</p>	<p>Maytag's Document Request No. 31 asks for "documents sufficient to show" certain information. Accordingly, an e-search of all documents relating to the subject matter of this document request is not required.</p>	<p>Maytag will accept Dyson's position with respect to Request No. 31. Further, Maytag notes that during the parties' May 30, 2006 conference call, Dyson stated that it does not have a document retention policy.</p>

<p>9. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request Nos. 40, 41, 42, and 47, which seek documents related to any market share analysis, forecasts or goals related to products made or sold pursuant to the patents-in-suit and/or advertising and marketing claims at issue in this case.</p>	<p>Dyson proposes the search below.</p> <p>((Hoo* or Sprint) nearl0 U5025-900) or ((Hoo* or Elite) nearl0 U5061-900) or ((Hoo* or Tempo) nearl0 U5150-900) or ((Hoo* or FoldAway) nearl0 U5175-900) or ((Hoo* or Fusion) nearl0 U5180-900) or ((Hoo* or EmPower) nearl0 U5262-900) or ((Hoo* or EmPower) nearl0 U5262-910) or ((Hoo* or Windtunnel or WT) nearl0 U6425-920) or ((Hoo* or Windtunnel or WT) nearl0 U6432-900) or ((Hoo* or Windtunnel or WT) nearl0 U6439-900) or ((Hoo* or Windtunnel or WT) nearl0 U6446-900) or ((Hoo* or Windtunnel or WT) nearl0 U6616-900) or ((Hoo* or Windtunnel or WT) nearl0 U6616-900) or ((Hoo* or Windtunnel or WT) nearl0 U6630-900) or ((Hoo* or Windtunnel or WT) nearl0 U8120-900) or ((Hoo* or Savvy) nearl0 U8145-900)) and (market* or strateg* or business*) nearl0 (plan* or proposal* or projection* or analy* or strateg* or response*)</p>	<p>Maytag accepts Dyson's proposed search as modified. See below.</p> <p>((Hoo* or Sprint) nearl0 U5025-900) or ((Hoo* or Elite) nearl0 U5061-900) or ((Hoo* or Tempo) nearl0 U5150-900) or ((Hoo* or FoldAway) nearl0 U5175-900) or ((Hoo* or Fusion) nearl0 U5180-900) or ((Hoo* or EmPower) nearl0 U5262-900) or ((Hoo* or EmPower) nearl0 U5262-910) or ((Hoo* or Windtunnel or WT) nearl0 U6425-920) or ((Hoo* or Windtunnel or WT) nearl0 U6432-900) or ((Hoo* or Windtunnel or WT) nearl0 U6439-900) or ((Hoo* or Windtunnel or WT) nearl0 U6446-900) or ((Hoo* or Windtunnel or WT) nearl0 U6616-900) or ((Hoo* or Windtunnel or WT) nearl0 U6630-900) or ((Hoo* or Windtunnel or WT) nearl0 U8120-900) or ((Hoo* or Savvy) nearl0 U8145-900)) and (market* or strateg* or business*) nearl0 (plan* or proposal* or projection* or analy* or strateg* or response* or training or pricing or sales education or compet* or goals or forecast or customers or incentive or information)</p>
<p>10. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request Nos. 43 and 44, which seek documents related to any revenue analysis or</p>	<p>Maytag's Document Requests Nos. 43 and 44 seek certain revenue-related information. Dyson has said that it will produce and/or make available documents sufficient to address those requests. Accordingly, an e-search of all documents relating to the subject matter of</p>	<p>Maytag's request was not for documents that are "sufficient to show," rather Maytag's Document Requests Nos. 43 and 44 requested all documents relating to Plaintiffs' revenue analysis and revenue projections. Accordingly, Maytag requests that Dyson run a search responsive to</p>

forecasts related to products made or sold pursuant to the patents-in-suit and/or advertising and marketing claims at issue in this case.	these document requests is not required.	this request.
11. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request No. 51, which seeks documents related to Mike Rutter.	Dyson proposes running the following search: (Mike or Michael) near3 Rutter	Maytag will accept Dyson's proposed search with the modification below. Rutter or ((Mike or Michael) near3 Rutter)
12. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request Nos. 55 and 63, related to proceedings before the NAD.	Maytag Document Request Nos. 55 and 63 ask for documents that substantiate certain advertising claims concerning the DC07, DC14, and DC15 and that relate to certain testing submitted to the NAD. Dyson's previously-proposed search terms already address testing of and substantiation of claims regarding the DC07, DC 14, and DC15. Accordingly, an additional search term is unnecessary.	Maytag accepts Dyson's position.
13. Dyson has not included a general search query for purposes of retrieving documents responsive to Maytag Document Request No. 54, which seeks all copies of advertising for the DC07, DC14 and DC15.	Maytag Document Request No. 54 asks for documents substantiating any claim in advertising concerning the DC07, DC14, and DC15. Because we have already proposed search terms that address testing of and substantiation of claims regarding the DC07, DC14, and DC15, an additional search term is unnecessary. *** In our conference call, you said that this objection also is based on Maytag's Document	Maytag's Document Request No. 52 requests "any and all copies of advertising in the United States, including but not limited to, print, radio, television, internet, point of purchase, free standing insert, brochures or literature or any other medium for the DC07, DC14 and DC15 Dyson upright vacuum cleaners" (emphasis added). Accordingly, Maytag requests that Dyson run an electronic document search responsive to this request. To this end, like the search proposed by Dyson, Maytag suggests

	Request No. 52. As we told you, Dyson will undertake reasonable efforts to search for relevant advertising in the United States for the DC07, DC14, and DC15, and, at your suggestion, we also will undertake reasonable efforts to search for relevant internet advertising.	using advertis*. For example: Dyson or (DC07 or (DC 07) or (DC07) or (DC 07) or (DC07) or (DC 7) or (DC 7)) or (DC14 or (DC 14)) or (DC15 or (DC 15)) AND advert*
14. Dyson has not included any search terms for purposes of retrieving documents responsive to Maytag Document Request No. 58, which seeks documents related to annual sales and gross revenues attributable to the DC07, DC14 and DC15.	Maytag's Document Request No. 58 seeks sales and revenue information attributable to the DC07, DC14 and DC15. Dyson has said that it will produce and/or make available documents sufficient to show total annual sales and gross revenues attributable to the DC07, DC14 and DC15 in the United States since January 1,2000. Accordingly, an e-search of all documents relating to the subject matter of this document request is not required.	Maytag's request was not for documents that are "sufficient to show," rather Maytag's Document Requests No 58 requested "any and all documents related to annual sales or gross revenues attributable to the DC07, DC14, and DC15 Dyson upright vacuum cleaners in the United States...." (emphasis added). Accordingly, Maytag requests that Dyson run a search responsive to this request.
15. Dyson has not included any search terms for the purpose of retrieving documents responsive to Maytag Document Request No. 68, which seeks documents related to competition between Dyson and Maytag.	Dyson proposes the following search term, which is identical to the search term we requested that Maytag add to its e-search in our letter of May 23,2006: (Maytag or Hoover) and (market*or compet*) and (vacuum* or upright*) and Dyson	Maytag accepts Dyson's proposed search term with the modification below. (Maytag or Hoover) and (market*or compet*) and or (vacuum* or upright*) and Dyson
16. Dyson has not included any search terms related to its claims of "double the suction of other vacuums" and "Double the suction of other vacuums. After 10oz. of dust."	As we stated during our conference call, Dyson's proposed e-search terms already cover the subject matter of the stated claims. They are: (10 or ten) near10 (dust and (United States or USA or U.S.A. or US or U.S. or DC14 or DC	The advertising claim at issue ("double the suction of other vacuums. After 10 oz. of dust.") does not reference Dyson or its model numbers or the United States. As such, Maytag requests that Dyson run this search without seeking a reference to the United States or a model

	14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC 07)) (double near10 suction near10 vacuum") and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC 07 or DC 07))	number. See below. (10 or ten) near10 (dust and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC 07 or DC 07)) and (double near10 suction near10 vacuum") and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC 07 or DC 07))
17. Dyson has not included any search terms related to its claims concerning its Root8Cyclone.	Dyson proposed the following search: Root8Cyclone and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC 07 or DC 07 or DC 07)	Maytag accepts this search as modified below. Root8Cyclone and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC 07 or DC 07 or DC 07)
18. Dyson has not included any search terms related to its claim that "When it comes to vacuuming, nothing is more important than suction."	Dyson proposed the following search: vacuum* near5 nothing near5 important near5 suction	Maytag accepts Dyson's proposed search.
19. Dyson has not included any search terms related to its claim that "Higher volumes of air are spread simultaneously through many cyclones to give higher constant suction power - which means you pick up even more dust."	Dyson proposed the following search: (higher volumes) near10 cyclone* near10 (suction power) near10	Maytag proposes the search below in lieu of Dyson's proposed search. higher or constant near10 suction
20. Dyson has not included any search terms related to its claim that	Dyson proposed the following search:	Maytag proposes the search below in lieu of Dyson's proposed search.

"Dirt and dust are thrown out of the airflow and collected in the bin, not on filters or bags."	dirt near5 dust near10 airflow near15 bin filter* bag*	dirt or dust near20 bin or filter or bag
21. Dyson has not included any search terms regarding its suction power chart comparing suction power of the Dyson DC07 with other vacuums.	During our conference call, you agreed to propose a search term to address the concerns raised in your objection no. 21	Maytag proposes the search below: chart or graphic or compar* near 50 suction or power and (DC07 or (DC 07) or (DC07) or (DC 07) or (DCo7) or(DC 07) or DC7 or (DC 7) or Dyson)
22. Dyson has not included any search terms regarding the composition of its vacuums, i.e., whether the vacuums are made of plastic.	Dyson already has proposed a search term to pick-up documents related to its past "Liquid Steel" claims Liquid Steel and (United States or USA or U.S.A. or US or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7) To the extent available, Dyson also will produce and/or make available documents sufficient to show the composition of the plastic material described as "Liquid Steel" on certain Dyson vacuum cleaners sold in the past.	Maytag accepts the search as modified below. Liquid Steel or ABS and (United States or USA or U.S.A. or US or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC o7)
23. Dyson has not included any search terms related to its claim that it invented cyclone technology.	Dyson proposes the following search: invent* near5 cyclon* near5 technology.	Maytag proposes the search below in lieu of Dyson's proposed search: invent* near10 cyclon* or technology
24. Maytag recommended additional searches a. vac* near10 (work properly or work effectively)	Below are Dyson's responses to these searches. a. vac* near10 (work properly or work effectively) and (United States or USA or U.S.A. or US or DC14 or DC	a. Maytag accepts this search as modified below. vac* near10 (work properly or work effectively)

<p>b. clog* near 10 (bag* or filter*)</p> <p>c. (integral or hose or cyclone*) near 50 invent*</p> <p>d. (perform* or data) near50 test* and (United States or USA or U.S.A. or US or U.S. or or DC14 orDC 14 or DC 15 or DC15 or DC 07 or DC07 or DC 07)</p> <p>e. Maytag or Hoover near 25 vac*</p>	<p>14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7)</p> <p>b. The following search term already addresses the subject matter of your proposed search term: (filter* filtration) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC o7)</p> <p>c. Dyson will use Maytag's proposed search instead of its current search: integral hose near50 invent*</p> <p>d. Dyson is amenable to the proposed search term.</p> <p>e. Search term is too broad.</p> <p>f. Dyson is amenable to the proposed</p>	<p>and (United States or USA or U.S.A. or US or US. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7 or Dyson)</p> <p>b. Dyson's search does not address the subject matter at issue, as it does not reference clog or bag. As such, Maytag proposes the search below: clog* near 10 (bag* or filter* or filtration) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC o7 or Dyson)</p> <p>c. Okay.</p> <p>d. Okay.</p> <p>e. Maytag withdraws its request that Dyson run this search.</p> <p>f. Maytag accepts this search as modified..</p>
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<p>f. More near 10 (dirt or dust)</p> <p>g. Power* near 10 upright</p> <p>h. Perform near 10 better</p> <p>i. More near 10 suction</p>	<p>search if it is limited, as follows: More near 10 (dirt or dust) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC07 or DC07 or DC o7)</p> <p>g. Dyson is amenable to the proposed search if it is limited, as follows: Power* near 10 upright and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC07 or DC07 or DC o7)</p> <p>h. Dyson is amenable to the proposed search if it is limited, as follows: Perform near10 better and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC07 or DC07 or DC o7)</p> <p>i. Dyson is amenable to the proposed search if it is limited, as follows:</p>	<p>More near 10 (dirt or dust) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC07 or DC07 or DC o7 and Dyson)</p> <p>g. The advertising claims at issue ("the most powerful upright," "the most powerful upright for pet hair," and "the most powerful upright vacuum cleaner available" do not reference Dyson model numbers or the United States. As such, Maytag requests that Dyson run this search without seeking a reference to the United States or a model number. See below.</p> <p>Power* near 10 upright and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC07 or DC07 or DC o7)</p> <p>h. Maytag accepts this search as modified below.</p> <p>Perform near10 better and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC07 or DC07 or DC o7 or Dyson)</p> <p>i. Maytag accepts this search as modified below.</p>
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<p>j. (pre-motor or motor) near10 filter</p> <p>k. (Home or field) near 10 test</p> <p>l. (more near10 use) near20 (less near10 work)</p>	<p>More near10 suction and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7)</p> <p>j. The following Dyson search terms already address this subject matter. (filter* filtration) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07)</p> <p>k. Dyson is amenable to the proposed search if it is limited, as follows: (Home or field) near10 test and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7)</p> <p>l. Dyson is amenable to the proposed search if it is limited, as follows: (more near10 use) near20 (less near10 work) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7)</p>	<p>More near10 suction and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7 or Dyson)</p> <p>j. Dyson's proposed search term does not address the term "pre-motor". As such, Maytag requests that Dyson run its proposed search.</p> <p>k. Maytag accepts this search as modified below.</p> <p>(Home or field) near10 test and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7 or Dyson)</p> <p>l. The advertising claims at issue ("Other vacuums - the more you use them, the less they work" does not reference Dyson model numbers or the United States. As such, Maytag requests that Dyson run this search without seeking a reference to the United States or a model number. See below. (more near10 use) near20 (less near10 work) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7 or Dyson)</p>
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<p>m. kill* near10 bacteria or mold or allergen*</p> <p>n. clean* near10 effect*</p> <p>o. training near10 material</p>	<p>m. Dyson already has a search term on the subject of Dyson's advertising claim that the DC7, DC14 and DC15 are "Approved for allergy sufferers." It reads as follows: approv* near10 allerg* and (United States (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7)</p> <p>n. Dyson is amenable to the proposed search if it is limited, as follows: (clean* near10 effect*) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7)</p> <p>o. Dyson is amenable to the proposed search if it is limited, as follows: training near10 material and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7</p>	<p>07 or DC07 or DC7 or DC07 or DC o7)</p> <p>m. Dyson's claim that its vacuums are approved for allergy sufferers implies that its vacuums kill bacteria, mold and allergens. As such, this request will lead to discoverable evidence relevant to the advertising claim. Maytag requests that Dyson run its proposed search.</p> <p>n. Maytag accepts this search as modified below.</p> <p>(clean* near10 effect*) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7 or Dyson)</p> <p>o. Maytag accepts this search as modified below.</p> <p>training near15 and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC7 or DC07 or DC o7 or Dyson or Sears or Best Buy or Target or Wal-Mart)</p>
<p>25. Maytag suggested that Dyson narrow the following keyword searches:</p> <p>a. test* near 50 (*eleg* and</p>	<p>a. Too broad</p>	<p>a. Maytag modifies its requested search and</p>

<p>(United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC 7 or DC07 or DC7)</p> <p>b. *substantiat* near 10 elaim and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC 7 or DC07 or DC7)</p> <p>c. test# near 10 ((animal* or pet) near 10 hair*) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC 07 or DC 7 or DC07 or DC7)</p>	<p>b. Too broad</p> <p>c. Dyson will run this search as narrowed by Maytag.</p>	<p>requests that Dyson run the search below.</p> <p>test* near 50 (suction and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC 7 or DC07 or DC7 and Dyson)</p> <p>b. Maytag withdraws its request regarding this search.</p> <p>c. Maytag requests that Dyson run this search as modified below: ((animal* or pet) near 10 hair*) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC 07 or DC 7 or DC07 or DC7 and Dyson)</p>
<p>26. Maytag suggested that Dyson expand the following searches.</p> <p>a. (Maytag or Hoover) and (paten* or infrng* or suit or lawsuit or litigation or copy* or copied or knock-off or imit*)</p>	<p>a. Dyson will run this search by adding "imit*"</p>	<p>a. Okay.</p>

<p>b. High Court and Hoover or Maytag</p> <p>c. suction near 10 (*clog* constant* first half loss power* power* los* defect* carpet* bag* cyclon*)</p> <p>d. (filter* filtration) near 25 clog*</p> <p>e. force near 10 gravit* centrifugal g-force 100,000</p> <p>f. design flaw near 10 bag* bin* clog* filter* defect* suction*</p> <p>g. (consumer research or</p>	<p>b. Dyson will run this search by adding "or Maytag"</p> <p>c. Dyson will add our terms with the exception of los*. Because every e-mail sent by Dyson employees contains the words "doesn't lose suction," Dyson claims it cannot add the term "los*" as it will the search unreasonably broad, defeating the purpose of the terms.</p> <p>d. Dyson's search of (filter* filtration) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC07 or DC o7) covers the proposed addition.</p> <p>e. Dyson will add search in parenthetical phrase: force near10 (gravit* or centrifugal or g-force or 100,000)</p> <p>f. Too broad. Use current Dyson search: "design flaw near 10 (bag* bin* *clog* filter*)</p> <p>g. Dyson will run this search by adding</p>	<p>b. Okay</p> <p>c. Maytag requests that Dyson run this search with the connector "or" as follows: suction near 10 (*clog* or constant* or first or half or loss or power* or los* or defect* or carpet* or bag* or cyclon*) Further, Maytag requests that Dyson formulate its search in such away as to not capture e-mails which contain Dyson's tag line "doesn't lose suction".</p> <p>d. Okay</p> <p>e. Okay</p> <p>f. We disagree with Dyson's contention that this search is too broad and requested that Dyson run the search as proposed by Maytag.</p> <p>g. Maytag requests that Dyson run this</p>
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<p>target audience or copy strategy or copy direction or advertising copy or creative brief or brand recognition or competitive advertising or positioning statement or in-market study or first launch or tracking study or marketing strategy or media strategy or media schedule or market research or network clearance or network inquiry) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 15 or DC15 or DC 07 or DC 7 or DC07 or DC7)</p> <p>h. Maytag or Hoover near 10 (distributor* supplier* wholesale* retail*)</p>	<p>"consumer research"</p> <p>h. Dyson will run this search by adding "Maytag"</p>	<p>search as modified below. (consumer research or target audience or copy strategy or copy direction or advertising copy or creative brief or brand recognition or competitive advertising or positioning statement or in-market study or first launch or tracking study or marketing strategy or media strategy or media schedule or market research or network clearance or network inquiry) and (United States or USA or U.S.A. or US or U.S. or DC14 or DC 14 or DC 15 or DC15 or DC 07 or DC 7 or DC07 or DC7 or Dyson)</p> <p>h. Maytag requests that Dyson run the search as modified below. Maytag or Hoover near 10 (distribut* or suppl* or wholesale* or retail*)</p>
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EXHIBIT K



Monica Y. Youn
Manatt, Phelps & Phillips, LLP
Direct Dial: (212) 790-4580
E-mail: myoun@manatt.com

November 27, 2006

Client-Matter: 27699.060

BY E-MAIL

Lisa Parker, Esq.
Winston & Strawn, LLP
35 West Wacker Drive
Chicago, Illinois 60601-9703

Re: Dyson Ltd. v. Maytag Corp.

Dear Lisa:

This letter memorializes our telephone conversation of earlier today. More than three weeks after the close of written discovery, after several critical depositions in this case have already been taken and days before additional critical depositions are to take place, Maytag today produced roughly 30,000 pages of documents. I called you to understand the nature and circumstances of this voluminous late production. In light of the upcoming depositions – including Maytag's 30(b)(6) deposition on November 30th (two days from now) and the deposition of Dan Miller on for December 1st – I asked you to identify for me any new materials in the production that might touch on the upcoming depositions.

You replied that while this new production certainly contained documents that had not been produced previously, you could not tell me whether any of these documents would effect the upcoming depositions, nor could you identify for me anyone at your firm who could answer that question. You refused to undertake to determine the answer and, at the same time, confirmed that you were the person primarily responsible for coordinating this new production. Finally, you offered no explanation as to why Maytag produced this volume of documents so late. We cannot understand how Maytag can complain about the volume of documents it received from Dyson in the week prior to the cut-off for written discovery, as it did in its November 16, 2006 letter, yet feels that it has no responsibility to account for the production of over 30,000 pages of documents weeks after the written discovery cut-off.

Please note that Dyson reserves all rights and remedies in connection with Maytag's failure to comply with the Court's Scheduling Order, including but not limited to, moving *in limine* to exclude any document in this recent production upon which Maytag may seek to rely at

manatt
manatt | phelps | phillips

Lisa Parker
November 27, 2006
Page 2

trial, and re-opening depositions to permit questions regarding the documents and/or their content.

Very truly yours,


Monica Y. Youn

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EXHIBIT L

MAYTAG PRODUCTIONS	
DATES	TOTAL PAGES
Before August 4, 2006	451
August 4, 2006	17445
September 1, 2006	1544
September 20, 2006	26780
September 29, 2006	21958
October 6, 2006	15465
October 17, 2006	13634
October 20, 2006	3835
November 3, 2006	309
November 17, 2006	1196
November 22, 2006	31857
Total Pages	134474

DYSON PRODUCTIONS	
DATES	TOTAL PAGES
Before August 1, 2006	5285
August 1, 2006	7654
August 22, 2006	2423
September 7, 2006	31002
October 10, 2006	14079
October 11, 2006	8554
October 12, 2006	245
October 16, 2006	93
October 20, 2006	1480
October 24, 2006	3387
October 25, 2006	14284
October 27, 2006	25011
October 28, 2006	2337
October 30, 2006	3271
October 30, 2006	
Letter #2	12258
October 31, 2006	8114
November 1, 2006	5201
November 1, 2006	
Letter #2	424
November 2, 2003	3251
	3048
November 2, 2006	
Letter #2	5172
November 2, 2006	
Letter #3	6706
November 3, 2006	15823
	10257
November 3, 2006	
Letter #2	7920
November 3, 2006	
Letter #3	1564
November 9, 2006	28
November 27, 2006	172
November 29, 2006	5
Total Pages	199048

EXHIBIT M

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HIGHLY CONFIDENTIAL

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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DYSON TECHNOLOGY LIMITED and DYSON,
INC.,

Plaintiffs,

-against-

MAYTAG CORPORATION,

Defendant.

Civil
Action No.
05-434-GMS

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November 8, 2006
9:18 a.m.

Continued deposition of JAMES DYSON, taken by
Defendant, pursuant to Adjournment, held at the
offices of Manatt Phelps & Phillips, LLP, 7 Times
Square, New York, New York, before Joseph R. Danyo,
a Shorthand Reporter and Notary Public within and
for the State of New York.

□

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A p p e a r a n c e s:

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By: KIMBALL ANDERSON, ESQ.
STEVEN DURCHSLAG, ESQ.

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